

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE DISTRICT
OF UTAH, CENTRAL DIVISION

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Civil Case No. 358

STANLEY CROUSE,

Plaintiff,

-v-

ELIJAH B. CALDIER,

Defendant.)

JUDGMENT AND DECREE

The above cause having come on regularly for trial before the above entitled court; M. E. Wilson and Walter A. Muir appearing as attorneys for the plaintiff, and E. J. Green appearing as attorney for the defendant; the court having heard the evidence and during the pendency of the case the parties having entered into a stipulation for the entry of a decree settling the rights of the parties hereto in and to the water hereinafter described.

IT IS ORDERED, ADJUDGED AND DECREED:

1. That plaintiff is the owner of the right to the use of all of the natural flow of Crouse Creek, a tributary of Green River, located in Daggett County, State of Utah.

2. That plaintiff is the owner of the right to the use of 5 second feet of the natural flow of Pot Creek, a tributary of Green River, rising in Uinta County, Utah, to be diverted at any time a natural flow of water is available in Pot Creek from January 1st to December 31st inclusive of each year; that the 5 second feet of water shall be measured in the outlet of what is commonly known as the Matt Warner Dam, which dam is located at a point North 43° 45', West 676 feet from the East Quarter corner of Section 2, Township 1 South, Range 23 East, Salt Lake Base and Meridian. That said right to the use of 5 second feet is prior to the rights of the defendant to the use of the water of Pot Creek evidenced by pending applications in the office of the State Engineer of the State of Utah hereinafter described, and all other rights of any character asserted or claimed by the defendant.